

DATE: October 12, 2005

RE: Closure of 2001, Inc. d/b/a Gold's Gym, a/k/a Smart Fitness, a/k/a World Gym

TO: Former Members of Gold's Gym, Smart Fitness or World Gym, et al

FROM: SC Department of Consumer Affairs

If you were a member of Gold's Gym, Smart Fitness or World Gym located at 3715 East North Street, Greenville, SC 29615 please note the following:

- I. If you had pre-paid membership with an unfulfilled term you may be entitled to a refund for the unexpired term.
- I. If you made monthly payments to gold's gym or a third party assignor after Gold's Gym closed you may be entitled to a refund of that money.
- III. If you wish to file a complaint or already have filed one, the enclosed affidavit must be completed and returned with any requested material in the affidavit.

If you have any questions regarding this letter or need help in completing the affidavit, please call Suzanne Barczak at (803) 734-4246.

Please return the enclosed affidavit to the attention of Suzanne Barczak, Legal Department, as soon as possible. Thank you.

STATE OF SOUTH CAROLINA)
) BEFORE THE ADMINISTRATOR
COUNTY OF RICHLAND) SOUTH CAROLINA DEPARTMENT
) OF CONSUMER AFFAIRS

SOUTH CAROLINA DEPARTMENT OF)
CONSUMER AFFAIRS,) DOCKET # 0426
)
VERSUS)
)
2001, INC., D/B/A GOLD'S GYM, A/K/A)
SMART FITNESS, A/K/A WORLD GYM,) Consumer Affidavit
AND FRANK A. (TONY) OPPERMAN,) on Damages
INDIVIDUALLY,)
)
_____)

PERSONALLY APPEARED BEFORE ME, _____,
(Your Name)
who, being duly sworn, deposes and says that:

1. My full name is: _____ .
2. My current address is: _____

Telephone #: _____
3. I am or was a member of Gold's Gym, a/k/a Smart Fitness, World Gym (Circle one)
located at 3715 East North Street, Greenville, SC 29615.
4. I first became a member of Gold's Gym, a/k/a Smart Fitness, World Gym (Herein called
Gold's Gym) on _____
_____ .
5. I (*Circle One*): *was* / *was not* 18 years old or older at that time.
6. I (*Circle One*): *was* / *was not* employed at that time.
7. My membership was for a time period of _____ .
8. (If Applicable) I renewed my membership with Gold's Gym on: _____
_____ and paid \$ _____ for the renewal.
9. When I became a member I (*Circle One*): *did* / *did not* sign a membership agreement.

10. I have searched for a copy of my membership agreement, and I (*Circle One*): (1) have found a copy and have attached it to this Affidavit (2) have previously sent a copy with a complaint form or (3) have been unable to find a copy of the agreement.
11. The cost of my membership with Gold's Gym was \$ _____.
12. I have actually paid \$ _____ to Gold's Gym or its assignee.
13. I paid by (*Circle One*): (1) Cash (2) Check (3) Charge Card (4) Promissory Note (5) Other _____.
14. I have searched for my payment receipts, and I (*Circle One*): (1) have found them and have attached copies of the receipts to this Affidavit (2) have been unable to find all my receipts, but I have attached copies of those I found (3) have been unable to find my receipts.
15. During the term of my membership I (*Circle One*): was / was not able to use the facilities at Gold's Gym.
16. (If Applicable): After Gold's Gym closed, I was able to use the facilities of _____ at _____ which honored the remainder of my membership with Gold's Gym..
17. (If Applicable): I have received a full refund (*Circle One*): yes / no.
18. (If Applicable): I signed a Promissory Note for my membership, and this was financed by _____.
19. (If Applicable): I (*Circle One*): have / have not paid this note in full:
20. (If Applicable): The financial institution (*Circle One*): did / did not continue to contact me concerning payment after Gold's Gym closed.
21. (If Applicable): To my knowledge, adverse information regarding this promissory note (*Circle One*): has / has not been reported on my credit report.
22. I am asking that the Department of Consumer Affairs help me to:
- _____
- _____
- _____
23. Including the documents mentioned above, I (*Circle One*): have / have not attached

copies of all of my documents relating to my membership to this Affidavit.

- 24 I (*Circle One*): (1) can think of nothing further that I want to say regarding this matter or
(2) I also want to add the following information:

FURTHER the Deponent saith not.

(Signature of the Deponent)

SWORN BEFORE ME ON THIS
_____ day of _____, 20__

(Notary Public for South Carolina)
My Commission Expires: _____